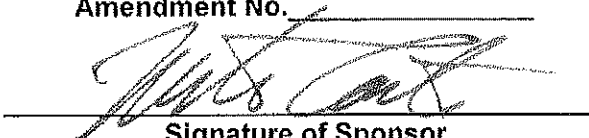


Amendment No. _____


Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 339*

House Bill No. 1176

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1307(a), is amended by deleting the subsection and substituting instead the following:

(1) A person commits an offense who carries with the intent to go armed:

(A) A firearm other than a handgun or a club; or

(B) A handgun without authorization under § 39-17-1315 or § 39-17-1351.

(2)

(A) The first violation of subdivision (a)(1)(A) is a Class C misdemeanor, and, in addition to possible imprisonment as provided by law, is punishable by a fine not to exceed five hundred dollars (\$500).

(B) A second or subsequent violation of subdivision (a)(1)(A) is a Class B misdemeanor.

(C) A violation of subdivision (a)(1)(A) is a Class A misdemeanor if the person's carrying of a firearm other than a handgun occurred at a place open to the public where one (1) or more persons were present.

(3)

(A) A first violation of subdivision (a)(1)(B) is a Class C misdemeanor punishable only by a fine of twenty-five dollars (\$25.00).

(B) A second violation of subdivision (a)(1)(B) is a Class C misdemeanor punishable only by a fine of fifty dollars (\$50.00).



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(C)

(i) Except as provided in subdivision (a)(3)(C)(ii), a third or subsequent violation of subdivision (a)(1)(B) is a Class B misdemeanor.

(ii) A third or subsequent violation, when the current violation involves the person's carrying of a handgun at a place open to the public where one (1) or more persons were present, is a Class A misdemeanor.

(D) A person who violates subdivision (a)(1)(B) shall be issued a citation in lieu of arrest in accordance with § 40-7-118(b)(3), unless the issuance of a citation is prohibited by § 40-7-118(c)(1) or § 40-7-118(c)(3)-(9), and a law enforcement officer shall not confiscate the person's handgun solely for a violation of subdivision (a)(1)(B).

SECTION 2. Tennessee Code Annotated, Section 40-7-118(b)(3), is amended by adding the following as a new subdivision:

The offense of carrying a handgun without authorization, in violation of § 39-17-1307(a)(1)(B);

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 339*

House Bill No. 1176

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1307(a), is amended by deleting the subsection and substituting instead the following:

(1) A person commits an offense who carries with the intent to go armed:

(A) A firearm other than a handgun or a club; or

(B) A handgun without authorization under § 39-17-1315 or § 39-17-1351.

(2)

(A) A first violation of subdivision (a)(1)(A) is a Class C misdemeanor, and, in addition to possible imprisonment as provided by law, is punishable by a fine not to exceed five hundred dollars (\$500).

(B) A second or subsequent violation of subdivision (a)(1)(A) is a Class B misdemeanor.

(C) A violation of subdivision (a)(1)(A) is a Class A misdemeanor if the person's carrying of a firearm other than a handgun occurred at a place open to the public where one (1) or more persons were present.

(3)

(A) A first violation of subdivision (a)(1)(B) is a Class C misdemeanor punishable only by a fine of up to one hundred dollars (\$100).

(B) A second violation of subdivision (a)(1)(B) is a Class C misdemeanor punishable only by a fine of up to two hundred fifty dollars (\$250).



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(C)

(i) Except as provided in subdivision (a)(3)(C)(ii), a third or subsequent violation of subdivision (a)(1)(B) is a Class B misdemeanor.

(ii) A third or subsequent violation of subdivision (a)(1)(B), when the current violation involves the person's carrying of a handgun at a place open to the public where one (1) or more persons were present, is a Class A misdemeanor.

(D) Upon a first or second violation of subdivision (a)(1)(B), the person shall be issued a citation in lieu of arrest in accordance with § 40-7-118(b)(3), unless the issuance of a citation is prohibited by § 40-7-118(c)(1) or § 40-7-118(c)(3)-(9), and a law enforcement officer shall not confiscate the person's handgun solely for a violation of subdivision (a)(1)(B).

SECTION 2. Tennessee Code Annotated, Section 40-7-118(b)(3), is amended by adding the following as a new subdivision:

The offense of carrying a handgun without authorization, in violation of § 39-17-1307(a)(1)(B);

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1163

House Bill No. 1016*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 30-2-601(a)(1), is amended by adding the following at the end of the subdivision:

If accountings have been waived by the decedent's will or other pleadings filed with the court, the personal representative shall not be required to file a detailed accounting but shall be required to file a status report detailing any remaining estate issues within fifteen (15) months from the date of qualification. Upon application of one (1) or more of the distributees of the residue, the court may require the personal representative to file a detailed accounting with the court.

SECTION 2. Tennessee Code Annotated, Section 30-2-601(b)(1), is amended by deleting the subdivision in its entirety and substituting instead the following:

(1) That personal representative has properly administered the estate, has paid or settled all claims that were lawfully presented, has paid all expenses of administration, has mailed or delivered notice of the requirement to file claims, as prescribed in § 30-2-306(d), to the creditors of the decedent who were known to or reasonably ascertainable by the personal representative, has for estates where the death occurred prior to January 1, 2016, filed with the court a final receipt from the department of revenue unless waived pursuant to § 67-8-409(g), has distributed the estate according to the will and obtained and filed receipts for specific bequests as required by § 30-2-707, or has distributed the estate according to the laws of intestate succession; and



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SECTION 3. Tennessee Code Annotated, Section 30-2-601(b), is further amended by adding the following language as a new subdivision (3):

(3) If the personal representative has made diligent efforts, satisfactory to the court, to obtain an acknowledgement from any distributee, and one (1) or more have failed to comply, the personal representative may move the court for closure of the estate by giving notice of the pending settlement to the non-compliant distributee. Failure of the non-compliant distributee to appear or participate in the hearing shall result in a final order closing the estate.

SECTION 4. Tennessee Code Annotated, Section 30-2-601(d), is amended by deleting the subdivision and substituting instead the following:

(d) In connection with any final settlement with the court, it is necessary for the receipt of any legatee or distributee to be executed under penalty of perjury or otherwise sworn before the clerk or a notary public, in a form substantially equivalent to the following form:

IN THE _____ COURT OF _____ COUNTY, TENNESSEE:

IN THE MATTER OF THE ESTATE OF:

NO. _____

RECEIPT AND WAIVER

I, the undersigned, _____, being a beneficiary under the Last Will and Testament, or an heir at law in the estate of _____, deceased, do hereby acknowledge receipt of all of the benefits due me and satisfactory to me, in the above-referenced estate, which were subject to administration and still remaining after all debts of the decedent, the taxes, and the cost of administration were satisfied.

I, the undersigned, further acknowledge and waive any further notice of final settlement of this estate and excuse the personal representative from any and all court accountings and further acknowledge notification of the potential personal liability under Tennessee Code Annotated § 30-2-307(a)(2), if applicable.

Signed this the _____ day of _____, 20____, UNDER PENALTY OF PERJURY.

Beneficiary or Heir

(OR)

Signed this the _____ day of _____, 20____.

Beneficiary or Heir

State of Tennessee

County of _____

Personally appeared before me, the undersigned Notary Public for the above referenced county and state, who has proved to me on the basis of satisfactory evidence of who he or she is and who acknowledged that he or she executed the within instrument for the purposes therein contained.

Witness my hand and official seal, on this the _____ day of _____, 20____.

Notary Public

My commission expires:

SECTION 5. Tennessee Code Annotated, Section 30-2-602, is amended by deleting the language "settle the accounts as prescribed" and substituting instead the language "settle the accounts or file a status report as prescribed".

SECTION 6. Tennessee Code Annotated, Section 30-2-701, is amended by deleting the period at the end of the section and substituting instead the language "in accordance with title 30, chapter 2, part 6."

SECTION 7. Tennessee Code Annotated, Section 30-2-707, is amended by deleting the last sentence of the section and substituting instead the following:

It shall be necessary for the receipt to be executed under penalty of perjury or otherwise sworn before the clerk or a notary public. In the event that one (1) or more distributees refuse to acknowledge receipt of their respective share, the personal representative shall

proceed to close the estate in accordance with title 30, chapter 2, part 6. The receipt shall be substantially equivalent to the following form:

IN THE _____ COURT OF _____ COUNTY, TENNESSEE:

IN THE MATTER OF THE ESTATE OF:

NO. _____

RECEIPT AND WAIVER

I, the undersigned, _____, being a beneficiary under the Last Will and Testament, or an heir at law in the estate of _____, deceased, do hereby acknowledge receipt of all of the benefits due me and satisfactory to me, in the above referenced estate, which were subject to administration and still remaining after all debts of the decedent, the taxes, and the cost of administration were satisfied.

I, the undersigned, further acknowledge and waive any further notice of final settlement of this estate and excuse the personal representative from any and all court accountings and further acknowledge notification of the potential personal liability under Tennessee Code Annotated § 30-2-307(a)(2), if applicable.

Signed this the _____ day of _____, 20____, UNDER PENALTY OF PERJURY.

Beneficiary or Heir

(OR)

Signed this the _____ day of _____, 20____.

Beneficiary or Heir

State of Tennessee

County of _____

Personally appeared before me, the undersigned Notary Public for the above referenced county and state, who has proved to me on the basis of satisfactory evidence of who he or she is and who acknowledged that he or she executed the within instrument for the purposes therein contained.

Witness my hand and official seal, on this the _____ day of _____, 20____.

Notary Public

My commission expires:

SECTION 8. This act shall take effect July 1, 2017, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1338

House Bill No. 689*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1351(e), is amended by designating the existing language as subdivision (e)(1) and by adding the following subdivision (e)(2):

(2) An applicant shall not be required to comply with the firing range requirements of subdivision (e)(1) if the applicant submits proof to the department that the applicant has successfully passed small arms qualification training or combat pistol training in any branch of the United States armed forces.

SECTION 2. This act shall take effect January 1, 2018, the public welfare requiring it.

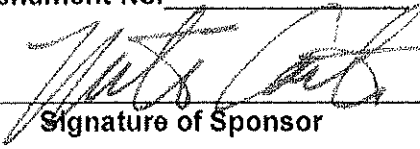


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Amendment No. _____


Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 647

House Bill No. 1083

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1350, is amended by adding the following language as a new subsection (g):

Notwithstanding any law to the contrary, a community corrections officer who holds a valid Tennessee handgun carry permit may carry a handgun at all times and in all places in Tennessee while in the course of employment and engaged in the actual discharge of official duties, except as provided by subsection (c), federal law, lawful orders of court, or the written directives of the executive supervisor of the employing agency. This section applies to community corrections officers employed in counties having a population, according to the 2010 federal census or any subsequent federal census of:

not less than

nor more than

32,200

32,300

22,600

22,675

6,800

6,900

56,800

56,900

51,400

51,500

19,100

19,150

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



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Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 993

House Bill No. 1126*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-2-311(a)(11), is amended by adding the following new subdivision:

(G)

(i) Notwithstanding any other provision in this subsection (a), in any action for retroactive child support filed on or after July 1, 2017, retroactive child support shall not be awarded for any period prior to the establishment of parentage unless the court determines, for good cause shown, that retroactive child support is in the interest of justice. Good cause includes, but is not limited to, the following:

(a) The obligor deliberately avoided service or knowingly impeded or delayed the imposition of a support obligation;

(b) The obligor used threats, intimidation, or force to prevent or delay the imposition of a support obligation; or

(c) The obligee reasonably feared that the establishment of parentage would result in domestic abuse, as defined in § 36-3-601.

(ii) Upon a finding of good cause in accordance with this subdivision (a)(11)(G), the court may order retroactive support from the date the court determines to be equitable and just.

(iii) The presumption that child support for the benefit of the child be awarded retroactively to the date of the child's birth contained in the child support



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guidelines shall not apply to any action in which subdivision (a)(11)(G)(i) is applicable.

SECTION 2. Tennessee Code Annotated, Section 36-5-101(e)(1), is amended by adding the following new subdivision:

(l)

(i) Notwithstanding any other provision in this subsection (e), in any action for retroactive child support filed on or after July 1, 2017, retroactive child support shall not be awarded for any period prior to the establishment of parentage unless the court determines, for good cause shown, that retroactive child support is in the interest of justice. Good cause includes, but is not limited to, the following:

(a) The obligor deliberately avoided service or knowingly impeded or delayed the imposition of a support obligation;

(b) The obligor used threats, intimidation, or force to prevent or delay the imposition of a support obligation; or


(c) The obligee reasonably feared that the establishment of parentage would result in domestic abuse, as defined in § 36-3-601.

(ii) Upon a finding of good cause in accordance with this subdivision (e)(1)(l), the court may order retroactive support from the date the court determines to be equitable and just.

(iii) The presumption that child support for the benefit of the child be awarded retroactively to the date of the child's birth contained in the child support guidelines shall not apply to any action in which this subdivision (e)(1)(l) is applicable.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

Amendment No. _____


Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 729*

House Bill No. 1196

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding the following language as a new part:

49-1-1201.

This part shall be known and may be cited as the "Tennessee Educators Protection Act."

49-1-1202.

The general assembly finds that ensuring the quality of elementary and secondary education in Tennessee is a compelling state interest. The filing of meritless litigation against teachers, administrators, and other school employees interferes with the quality of public and private education, particularly where the litigation arises out of the good faith efforts of educators to maintain classroom discipline or to address threats to student safety. Meritless litigation also diverts a school's financial and personnel resources to litigation defense activities, which reduces the availability of those resources for educational opportunities for students. The general assembly finds that legislation to deter the filing of meritless litigation and to sanction deliberately false reports levied against educators is a rational and appropriate method to serve this compelling state interest. This part is intended to reflect and expand upon federal educator protection statutes. This part does not apply to public or private educators who have been convicted of a crime or who have been terminated for misconduct.

49-1-1203. As used in this part:



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(1) "Educational entity" means the state board of education, department of education, and any other body, board, or agency that governs a public or private elementary or secondary school, and includes, but is not limited to, local education agencies and local boards of education; and

(2) "Employee" means:

(A) An individual who is elected or appointed to an educational entity;

(B) An individual who is an employee of an educational entity or who provides student-related services to an educational entity on a contractual basis; or

(C) An authorized volunteer who provides student-related services to an educational entity.

49-1-1204.

(a) An employee is not liable for taking any action related to the control, grading, suspension, expulsion, or discipline of a student unless that action violates a law, rule, or clearly articulated state or school policy, and occurs while the student is on the property of the educational entity or under the supervision of the educational entity or the employee. The plaintiff bears the burden of proving by preponderance of the evidence that the action of the educational entity or an employee violated a law, rule, or clearly articulated state or school policy.

(b) An employee is not liable for making a report consistent with federal or state law to the appropriate law enforcement authorities, or to an official of an educational entity, if the individual making the report has reasonable grounds to suspect that a student is:

(1) Under the influence of alcohol or a controlled substance that is not lawfully prescribed to the student;

(2) Involved in the illegal solicitation, sale, or distribution of alcohol or a controlled substance; or

(3) Involved in any other illegal activity.

49-1-1205.

(a) An employee is not liable for punitive or exemplary damages for acts or omissions that occur within the course and scope of the employee's employment. For purposes of this subsection (a), an employee who acts with the specific intent to cause harm is not acting within the course and scope of the employee's employment.

(b) An employee may file a civil action for damages against any person eighteen (18) years of age or older who acts with the specific intent to cause harm by making a false accusation of criminal activity against that employee to law enforcement authorities, school district officials, or school district personnel.

(c) An employee may file a civil action for damages against the parent, guardian, or legal custodian of a student of the employee, if the student, who is under eighteen (18) years of age, acts with specific intent to cause harm to another by making a false accusation of criminal activity against that employee to law enforcement authorities, school district officials, or school district personnel.

(d) Any student found by a court with jurisdiction over an action filed pursuant to subsection (b) or (c) to have acted with the specific intent to cause harm by making a false accusation of criminal activity against an employee to law enforcement authorities, school district officials, or school district personnel may be subject to one (1) or more of the following disciplinary actions, to be determined by the student's school:

- (1) Expulsion;
- (2) Suspension for a period of time;
- (3) Community service; or
- (4) Any other disciplinary action deemed appropriate by the school.

(e) This section does not apply to statements made regarding individuals elected or appointed to a local board of education.

(f) This section does not limit the civil or criminal liability of any person who makes a false statement alleging criminal activity by others.

49-1-1206.

(a) In any civil action or proceeding initiated against an employee in accordance with this part, the court shall award the prevailing party costs and reasonable attorney's fees.

(b) Expert witness fees may be included as a cost awarded under this section.

49-1-1207.

Except as otherwise provided by statute, the existence of any policy of insurance indemnifying an educational entity against liability for damages is not a waiver of any defense that is available to the educational entity or employee in defense of any claim.

49-1-1208.

(a) This part does not limit, modify, or supersede title 29, chapter 39.

(b) This part does not infringe on any right or protection provided under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq., or Section 504 of the Rehabilitation Act, 29 U.S.C. § 794. Nothing in this part applies to an action brought under federal or state law by a student or the student's parent or representative based on the student's disability.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 729*

House Bill No. 1196

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, is amended by adding the following language as a new part:

49-1-1201.

This part shall be known and may be cited as the "Tennessee Educators Protection Act."

49-1-1202.

The general assembly finds that ensuring the quality of elementary and secondary education in Tennessee is a compelling state interest. The filing of meritless litigation against teachers, administrators, and other school employees interferes with the quality of public and private education, particularly where the litigation arises out of the good faith efforts of educators to maintain classroom discipline or to address threats to student safety. Meritless litigation also diverts a school's financial and personnel resources to litigation defense activities, which reduces the availability of those resources for educational opportunities for students. The general assembly finds that legislation to deter the filing of meritless litigation and to sanction deliberately false reports levied against educators is a rational and appropriate method to serve this compelling state interest. This part is intended to reflect and expand upon federal educator protection statutes. This part does not apply to public or private educators who have been convicted of a crime or who have been terminated for misconduct.

49-1-1203. As used in this part:



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(1) "Educational entity" means the state board of education, department of education, and any other body, board, or agency that governs a public or private elementary or secondary school, and includes, but is not limited to, local education agencies and local boards of education; and

(2) "Employee" means:

(A) An individual who is elected or appointed to an educational entity;

(B) An individual who is an employee of an educational entity or who provides student-related services to an educational entity on a contractual basis; or

(C) An authorized volunteer who provides student-related services to an educational entity.

49-1-1204.

(a) An employee is not civilly liable for taking any action related to the control, grading, suspension, expulsion, or discipline of a student that occurs while the student is on the property of the educational entity or under the supervision of the educational entity or the employee unless that action violates a law, rule, or clearly articulated state or school policy. The plaintiff bears the burden of proving by a preponderance of the evidence that the action of the employee violated a law, rule, or clearly articulated state or school policy.

(b) An employee is not liable for making a report consistent with federal or state law to the appropriate law enforcement authorities, or to an official of an educational entity, if the individual making the report has reasonable grounds to suspect that a student is:

(1) Under the influence of alcohol or a controlled substance that is not lawfully prescribed to the student;

(2) Involved in the illegal solicitation, sale, or distribution of alcohol or a controlled substance; or

- (3) Involved in any other illegal activity.

49-1-1205.

An employee is not liable for punitive or exemplary damages for acts or omissions that occur within the course and scope of the employee's employment. For purposes of this section, an employee who acts with the specific intent to cause harm is not acting within the course and scope of the employee's employment.

49-1-1206.

(a) An employee may file a civil action for damages against any person eighteen (18) years of age or older who acts with the specific intent to cause harm by making an accusation of criminal activity the person knows or should know is false against that employee to law enforcement authorities, school district officials, or school district personnel.

(b) An employee may file a civil action for damages against the parent, guardian, or legal custodian of a student of the employee, if the student, who is under eighteen (18) years of age, acts with specific intent to cause harm to another by making an accusation of criminal activity the person knows or should know is false against that employee to law enforcement authorities, school district officials, or school district personnel.

(c) Any student found by a court with jurisdiction over an action filed pursuant to subsection (a) or (b) to have acted with the specific intent to cause harm by making an accusation of criminal activity the person knows or should have known is false against an employee to law enforcement authorities, school district officials, or school district personnel may be subject to one (1) or more of the following disciplinary actions, to be determined by the student's school:

- (1) Expulsion;
- (2) Suspension for a period of time;
- (3) Community service; or

(4) Any other disciplinary action deemed appropriate by the school.

(d) This section does not apply to statements made regarding individuals elected or appointed to a local board of education.

(e) This section does not limit the civil or criminal liability of any person who makes a statement the person knows or should know is false alleging criminal activity by others.

49-1-1207.

Except as otherwise provided by statute, the existence of any policy of insurance indemnifying an educational entity against liability for damages is not a waiver of any defense that is available to the employee in defense of any claim.

49-1-1208.

(a) This part does not limit, modify, or supersede title 29, chapter 39.

(b) This part does not infringe on any right or protection provided under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq., or Section 504 of the Rehabilitation Act, 29 U.S.C. § 794. Nothing in this part applies to an action brought under federal or state law by a student or the student's parent or representative based on the student's disability.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.